

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**LISA ARIEL HAND**  
4141 SW 19<sup>th</sup> Court  
Gresham, OR 97080

**Registered Nurse License No. 493493**

Respondent

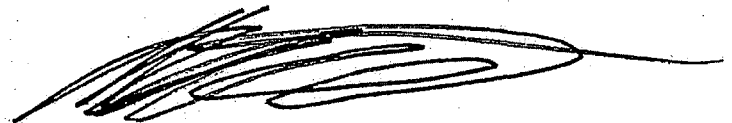
Case No. 2012-528

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **July 19, 2012.**

IT IS SO ORDERED **July 19, 2012.**



Erin Niemela  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 ALFREDO TERRAZAS  
Senior Asssitant Attorney General  
3 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
4 State Bar No. 161082  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 622-2212  
Facsimile: (510) 622-2270  
7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

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13 **LISA ARIEL HAND**  
4141 SW 19th Court  
14 **Gresham, OR 97080**  
**Registered Nurse License No. 493493**

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15 Respondent.

16  
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
18 proceeding that the following matters are true:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Interim Executive Officer of the  
21 Board of Registered Nursing. She brought this action solely in her official capacity and is  
22 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by  
23 Diann Sokoloff, Supervising Deputy Attorney General.

24 2. Lisa Ariel Hand (Respondent) is representing herself in this proceeding and has  
25 chosen not to exercise her right to be represented by counsel.

26 3. On or about August 31, 1993, the Board of Registered Nursing issued Registered  
27 Nurse License No. 493493 to Lisa Ariel Hand (Respondent). The Registered Nurse License  
28 expired on December 31, 2004, and has not been renewed.

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1 Registered Nursing may communicate directly with the Board regarding this stipulation and  
2 surrender, without notice to or participation by Respondent. By signing the stipulation,  
3 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind  
4 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt  
5 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be  
6 of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
7 between the parties, and the Board shall not be disqualified from further action by having  
8 considered this matter.

9 11. The parties understand and agree that facsimile copies of this Stipulated Surrender of  
10 License and Order, including facsimile signatures thereto, shall have the same force and effect as  
11 the originals.

12 12. This Stipulated Surrender of License and Order is intended by the parties to be an  
13 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
14 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
15 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order  
16 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing  
17 executed by an authorized representative of each of the parties.

18 13. In consideration of the foregoing admissions and stipulations, the parties agree that  
19 the Board may, without further notice or formal proceeding, issue and enter the following Order:

20 **ORDER**

21 IT IS HEREBY ORDERED that Registered Nurse License No. 493493, issued to  
22 Respondent Lisa Ariel Hand, is surrendered and accepted by the Board of Registered Nursing.

23 1. The surrender of Respondent's Registered Nurse License and the acceptance of the  
24 surrendered license by the Board shall constitute the imposition of discipline against Respondent.  
25 This stipulation constitutes a record of the discipline and shall become a part of Respondent's  
26 license history with the Board of Registered Nursing.

27 2. Respondent shall lose all rights and privileges as a Registered Nurse in California as  
28 of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board her pocket license and, if one was issued, her wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a surrendered license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 2012-528 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. If and when Respondent's license is reinstated, she shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of \$1,265. Respondent shall be permitted to pay these costs in a payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the Board from reducing the amount of cost recovery upon reinstatement of the license.

6. Respondent shall not apply for licensure or petition for reinstatement for two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

## ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED:

5/31/12

Lisa Ariel Hunt

LISA ARIEL HAND  
Respondent

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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted  
for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: June 6, 2012

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
ALFREDO TERRAZAS  
Senior Assitant Attorney General

  
DIANN SOKOLOFF  
Supervising Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 2012-528**

1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 SUSANA A. GONZALES  
Deputy Attorney General  
4 State Bar No. 253027  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
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8 **BEFORE THE**  
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11 **STATE OF CALIFORNIA**

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Case No. **2012-528**

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14 **4141 SW 19th Court**  
15 **Gresham, OR 97080**  
16 **Registered Nurse License No. 493493**

**A C C U S A T I O N**

Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
21 of Consumer Affairs.

22 2. On or about August 31, 1993, the Board of Registered Nursing issued Registered  
23 Nurse License Number 493493 to Lisa Ariel Hand (Respondent). The Registered Nurse License  
24 expired on December 31, 2004, and has not been renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Registered Nursing (Board),  
27 Department of Consumer Affairs, under the authority of the following laws. All section  
28 references are to the Business and Professions Code unless otherwise indicated.



1       4.    Section 2750 of the Business and Professions Code (Code) provides, in pertinent part,  
2   that the Board may discipline any licensee, including a licensee holding a temporary or an  
3   inactive license, for any reason provided in Article 3 (commencing with section 2750) of the  
4   Nursing Practice Act.

5       5.    Section 2764 of the Code provides, in pertinent part, that the expiration of a license  
6   shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the  
7   licensee or to render a decision imposing discipline on the license. Under section 2811,  
8   subdivision (b), of the Code, the Board may renew an expired license at any time within eight  
9   years after the expiration.

10       6.    Section 118, subdivision (b), of the Code provides, in pertinent part, that the  
11   expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary  
12   action during the period within which the license may be renewed, restored, reissued or  
13   reinstated.

#### 14                                   STATUTORY PROVISIONS

15       7.    Section 2761 of the Code states:

16       “The board may take disciplinary action against a certified or licensed nurse or deny an  
17   application for a certificate or license for any of the following:

18       “(a) Unprofessional conduct, which includes, but is not limited to, the following:

19       ...

20       “(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action  
21   against a health care professional license or certificate by another state or territory of the United  
22   States, by any other government agency, or by another California health care professional  
23   licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that  
24   action.”

#### 25                                   CONTROLLED SUBSTANCES/DANGEROUS DRUGS

26       8.    Code section 4021 states:

27       “‘Controlled substance’ means any substance listed in Chapter 2 (commencing with Section  
28   11053) of Division 10 of the Health and Safety Code.”

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1 FIRST CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct – Out of State Discipline)  
3 (Bus. & Prof. Code § 2761, subd. (a)(4))

4 15. Respondent has subjected her registered nurse license to disciplinary action  
5 under Code section 2761, subdivision (a)(4), in that on or about February 9, 2005, in a  
6 disciplinary action before the Oregon State Board of Nursing, Case No. 04-175, the Oregon  
7 Board entered a Final Order approving the Stipulation for Probation (Stipulation), placing  
8 Respondent on probation for 24 months under various terms and conditions. The terms and  
9 conditions of Respondent's probation required her to: (1) not violate the Nurse Practice Act or  
10 any of the administrative rules adopted there under; (2) notify the Oregon Board, in writing, prior  
11 to any change of address or employment during the probation period; (3) report in person to  
12 designated Oregon Board staff once per month for the first six months of probation; (4) inform  
13 current and prospective employers of the probationary status of her nursing license, the reasons  
14 for probation, and the terms and conditions of her probation, and provide them a copy of the  
15 Stipulation; (5) work only in settings where she is directly supervised by a registered nurse;  
16 (6) submit monthly report forms from her supervisor to the Oregon Board; (7) not be employed  
17 by a temporary staffing agency during the probationary period; (8) abstain from the use of all  
18 intoxicating substances, including alcohol, during the period of probation; (9) upon the request of  
19 the Oregon Board or her employer, immediately submit to tests to determine the presence of  
20 unauthorized substances in her bodily system; (10) report any arrest, citation, or conviction for  
21 any offense, whether felony or misdemeanor, to the Oregon Board within 30 days of occurrence;  
22 (11) be financially responsible for compliance with the Stipulation; and (12) fully cooperate with  
23 the Oregon Board in its supervision and investigation of her compliance with the terms and  
24 conditions of the Stipulation. Respondent signed the Stipulation on or about January 3, 2005.

25 16. The Oregon Board's Final Order was based upon a report received on or about  
26 February 2, 2004, stating that Respondent had a reasonable cause drug screen at work which  
27 tested positive for alcohol, Oxazepam, Temazepam, Codeine, and Morphine. On or about  
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1 January 29, 2004, Respondent's employer terminated Respondent for violating their policy  
2 regarding alcohol and maintaining a drug-free workplace. At the request of the Oregon Board, on  
3 or about April 12, 2004, Respondent completed a drug and alcohol evaluation and was diagnosed  
4 as chemically dependent. The evaluator recommended that Respondent undergo a five day  
5 evaluation. On or about October 17, 2004, Respondent was admitted for a five day evaluation.  
6 Respondent was not diagnosed with chemical dependence or abuse, however her discharge  
7 summary referred to "a documented incident of misuse of alcohol and an apparent pattern of  
8 inappropriate use of benzodiazepines." It was recommended that Respondent abstain from  
9 alcohol and other drugs not prescribed by a clinician, and that she submit to ongoing monitoring  
10 in the form of random urine drug screens for a minimum of two years.

11 SECOND CAUSE FOR DISCIPLINE

12 (Unprofessional Conduct – Out of State Discipline)  
13 (Bus. & Prof. Code § 2761, subd. (a)(4))

14 17. Complainant hereby realleges the allegations contained in paragraphs 15 and 16  
15 above, and incorporates them as if fully set forth.

16 18. Respondent has subjected her registered nurse license to disciplinary action under  
17 Code section 2761, subdivision (a)(4), in that on or about January 9, 2009, in a disciplinary action  
18 before the Oregon Board, Case No. 09-147, the Oregon Board entered a Final Order (Order)  
19 approving and adopting the Stipulation for Voluntary Surrender and accepting the voluntary  
20 surrender of Respondent's Oregon registered nurse license. Respondent signed the Stipulation for  
21 Voluntary Surrender on or about November 6, 2008.

22 19. The underlying conduct support the Oregon Board's Order is that on or about  
23 February 9, 2005, Respondent was placed on probation as set forth above in paragraph 15. On or  
24 about March 11, 2008, the Oregon Board sent Respondent a letter notifying her that she was  
25 required to check-in with the Board's probation coordinator and participate in the Oregon Board's  
26 random drug screen program regardless of her employment status. Respondent informed the  
27 Oregon Board that she would be travelling from coast-to-coast to care for ailing relatives. The  
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Oregon Board agreed to not require Respondent to submit to urine analysis during this time. On or about June 26, 2008, the Oregon Board advised Respondent that she needed to participate in the urine analysis drug screens in August 2008, despite her bicoastal travel. The Oregon Board subsequently received results from Respondent's first urine analysis, submitted on September 24, 2008, which returned positive for Ethyl Glucuronide (ETG), 167,000 nanograms per milliliter. When the Oregon Board questioned Respondent about her positive urine analysis, Respondent stated that she was severely dehydrated, and this likely caused her positive urine analysis. Respondent's next urine analysis was submitted on October 3, 2008, and it also came back positive for ETG, 41100 nanograms per milliliter. Respondent admitted that she drank an occasional glass of wine, but believed that the cause of such a high ETG was possibly due to her slow metabolism. Oregon Board Staff advised Respondent that she was in violation of her Stipulation for Probation. Respondent decided to voluntarily surrender her Oregon registered nurse license.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this Accusation and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 493493, issued to Lisa Ariel Hand;
2. Ordering Lisa Ariel Hand to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: March 6, 2012

*Louise R. Bailey*  
LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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